

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

ITV DIRECT, INC.,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO. 04-CV-10421-JLT
)	
HEALTHY SOLUTIONS, LLC, et al.,)	
)	
Defendants.)	
)	
RELATED CASES)	
)	

DECLARATION OF SUSAN W. GELWICK

I, SUSAN W. GELWICK, declare as follows:

1. I am an attorney with the law firm of Seyfarth Shaw LLP in Boston, Massachusetts. I represent the plaintiff, ITV Direct, Inc. ("ITV"), in connection with the present litigation.

2. Annexed to this affidavit are true and correct copies of the following exhibits:

- | | |
|-----------|---|
| Exhibit 1 | A true and accurate copy of a letter from counsel for Healthy Solutions LLC, Levin & O'Connor, dated April 29, 2004; and |
| Exhibit 2 | A true and accurate copy of a current docket report as of July 15, 2004 for a case pending in the United States District Court for the District of Massachusetts, entitled <i>Federal Trade Commission v. Direct Marketing Concepts, Inc., et al.</i> , Civil Action No. 04-cv-11136-GAO. |

I declare under penalty of perjury of the laws of the United States of America that the foregoing is true and correct.

Executed this 16th day of July, 2004 at Boston, Massachusetts.

/s/ Susan Gelwick

Susan W. Gelwick